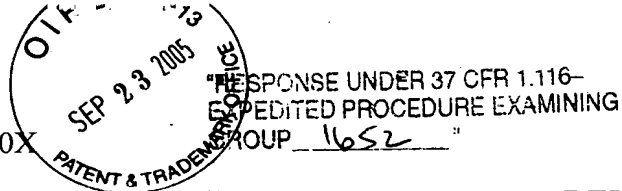


Docket No. 211712US0X



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Brigitte BATHE, et al.

GAU: 1652

SERIAL NO: 09/919,935

EXAMINER: Richard Hutson

FILED: August 2, 2001

FOR: NUCLEOTIDE SEQUENCES WHICH CODE FOR THE METF GENE

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated March 23, 2005

The items checked below are appropriate:

- ☒ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for two months.
- ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
- ☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.
- ☐ A Pre-Appeal Brief Request for Review is attached.

Fee: \$500.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☐ A check is Enclosed
- ☒ A credit card payment form is enclosed
- ☐ Charge to Deposit Account No. 15-0030 (an additional copy of this notice is enclosed herewith).
- ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.
- ☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this Notice is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon

Thomas M. Cunningham
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09/26/2005 SZEWDIE1 00000032 09919935

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